

MEMORANDUM

NATIONAL SECURITY COUNCIL

URGENT ACTION

December 2, 1971

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MEMORANDUM FOR DR. KISSINGER

FROM:

Phil Odeen *for*

SUBJECT:

U.S. Vote on UN Nuclear Test Ban Resolution

There are now three resolutions before the UN General Assembly urging all the nuclear powers to halt nuclear weapons testing, both underground and in the atmosphere, and to reach an agreement on the cessation of all nuclear tests as a matter of urgency. These resolutions vary principally in the degree to which nuclear testing is deplored or condemned and the stridency with which the nuclear powers are urged to take action to cease testing. These resolutions are briefly summarized below:

-- Saudi Arabian (Baroody) Resolution condemns nuclear testing and urges the nuclear powers to cease further nuclear testing and to reach an agreement on a comprehensive test ban (CTB) "without delay" and no later than (date to be filled in). (Tab A)

-- Mexican Resolution condemns the arms race and environmental dangers of nuclear testing, asserts that the differences on verification are no longer a valid reason for delaying a CTB, condemns all nuclear weapons tests, and urges nuclear weapons states to halt all nuclear testing no later than (date to be filled in). (Tab B)

-- The Canadian Resolution entirely avoids condemning nuclear testing. It urges all states that have not done so to adhere to the Limited Test Ban Treaty (i.e., France and China). It calls upon the nuclear powers, particularly the U.S. and USSR, "immediately" to undertake unilateral or negotiated measures to suspend or limit or reduce nuclear weapon testing pending a CTB applicable to all states. It urges greater effort to develop further seismological capabilities to facilitate monitoring a CTB. It urges the Geneva Conference of the Committee on Disarmament (CCD) to continue deliberations on a CTB "as a matter of highest priority" and particularly requests the U.S. and USSR "to take an active and constructive part in developing in the CCD specific proposals for a CTB." (Tab C)

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Our UN delegation expects that all three resolutions will pass easily, if brought to a vote. Voting could begin as early as Friday, though probably not until early next week.

Background Facts

-- In both the Limited Test Ban Treaty and the Non-Proliferation Treaty the U.S. -- and USSR -- is committed to work toward an agreement to cease all nuclear weapon testing, a CTB.

-- Since 1957 the UN has passed 18 resolutions calling for an end to nuclear weapons testing. The U.S. has voted for 17 of these resolutions. Their primary thrust was that a CTB was a desirable objective, in principle, which we have supported.

-- In 1962 we (and the Soviets) abstained, since the resolution passed condemned nuclear testing. We have never voted against a resolution calling for a test ban.

-- Since 1963 we have annually voted for a UN resolution calling for a halt in nuclear weapon testing and negotiation of a CTB.

-- In voting for these UN resolutions since 1963, we have explained our position that a halt in nuclear weapons testing should be pursuant to an "adequately verified treaty." Moreover, in 1970 we accepted language calling on the CCD to continue its deliberations on a CTB "as a matter of urgency."

-- We are reviewing our test ban policy in NSSM 128. Agency divergencies are many and sharp, with OSD-JCS-AEC opposing a test ban versus ACDA and State in favor. The fundamental issues are bound up in deep-seated disputes over several genuine uncertainties and opposing views of the attendant risks. At this point, however, we have no basis for changing U.S. position on CTB.

Issues for Decision

-- How should the U.S. vote on the three UN resolutions?

-- How will we explain our votes?

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The Saudi and Mexican resolutions pose no real problems for voting. We cannot vote to condemn ourselves for underground nuclear testing which is not in violation of the Limited Test Ban Treaty. State/ACDA recommend we abstain. I concur. Reportedly, the Soviets will abstain also.

Our proposed explanation of these abstentions is that strident denunciations and the imposition of early deadlines are harmful to the creation of the atmosphere of accommodation which is essential for progress in meaningful arms control measures. We would reaffirm our long-standing policy commitment to a CTB pursuant to an adequately verified treaty, and pledge to continue our active and constructive participation in the CCD deliberations concerning a CTB with emphasis on further necessary exploration of the verification issue.

The real problems are posed by the Canadian Resolution.

The Canadian Resolution has some novel features different from the previous UN resolutions we have supported that are the sources of our difficulty. These pointedly call on the U.S. and USSR to:

-- Take immediate unilateral or negotiated action to (1) suspend or (2) limit or (3) reduce nuclear testing;

-- Develop specific proposals for a CTB, with the hope that a treaty can be signed "in the near future."

Our real choices are to: (1) vote for the Canadian Resolution or (2) abstain. My analysis follows.

Option 1. Vote for the Canadian Resolution

-- Maintains consistency with our previous support of a CTB in the UN, but adds new momentum toward a CTB.

-- Avoids isolating the U.S. and putting us in opposition to our friends and Allies on this issue. Seven smaller allies and eight neutrals co-sponsor this resolution. Japan, UK and Italy have also indicated their support.

-- Avoids antagonizing the disarmament and environmentalist constituencies domestically and internationally. Denies Muskie a potential political issue, too -- he supports a CTB.

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-- If the Soviets abstain, as they say they will, we may get one up on them since they would have to explain away their abstention and could not point to us as being in the same position.

Option 2. Abstain on the Canadian Resolution

-- Avoids the appearance of a new U.S. initiative toward a CTB.

Being on record favoring immediate action to halt or limit testing and to submit specific proposals for a CTB, plus other language conveying a sense of urgency, could create a new sense of expectation for movement toward a CTB in the near future. We have not yet determined that such a policy commitment is in our national security interests.

-- Avoids raising a potential domestic political issue with the right-wing "hawks." Do we want to take further disarmament initiatives -- or be so perceived -- during the 1972 political campaign? The left would cheer and the right would jeer.

-- While the SALT outcome is uncertain and the NSSM 128 study is still underway, it is not prudent to commit ourselves to cease or restrict testing and to add momentum toward a CTB. (Our study tentatively indicates that SALT has a significant impact on some aspects of a CTB.)

-- A unilateral or negotiated halt of testing now could undermine our current public position that on-site inspections are essential to test ban verification.

Regardless of how we vote, we will have to explain how we interpret the immediate action and specific proposals provisions.

-- State/ACDA assert that we could slough off the immediate action provision by pointing out that (1) meaningful limitations on testing can come only in the context of negotiation; (2) negotiations take time and must not be precipitous; (3) therefore, "immediately" is not really a meaningful term. (The Canadians have already indicated that they understand and accept this interpretation. Indeed, they say their resolution gives us considerable flexibility -- and time -- by offering unilateral or negotiated options to suspend or limit or reduce testing.)

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-- We would finesse the provision to submit specific proposals for a CTB by reaffirming our constructive participation in the CCD deliberations and assuring that we would submit proposals when appropriate. (The Canadians admit that one of their -- and the non-aligned nations' -- key objectives is to gain acceptance of the idea that the U.S. and USSR should submit specific proposals for a CTB.)

State/ACDA believe that these explanations will stick if we vote for the Canadian Resolution. It appears to me that they could also serve to explain an abstention.

My Views

Regardless of how we vote, it will be publicized and we will get plaudits and lumps either way. My concern is that we not create an image of having a new test ban policy until we decide whether we want one.

Marshall Wright concurs that we should abstain on the Mexican and Saudi resolutions. However, he believes we should vote for the Canadian resolution as "a politically useful gesture which in fact binds us to nothing."

RECOMMENDATIONS

Abstain on Mexican and Saudi resolutions.

_____ Approved _____ Disapproved, vote against

Abstain on Canadian Resolution.

_____ Approved _____ Disapproved, vote for

Based upon your decisions, I will inform State/ACDA to prepare the appropriate instructions to our delegation.